



217/782-6761

December 12, 1985

Refer to: 2010300031 -- Winnebago County
Rockford/Rockford Products Plant 3
ILD005212097

EPA Region 5 Records Ctr.



393594

ENFORCEMENT NOTICE LETTER

Certified Mail
Return Receipt

RECEIVED
DEC 13 1985
IEPA-DLPC

Mr. Larry Hammond, Manager Plant Facilities
Rockford Products Corp., Plant 3
707 Harrison Avenue
Rockford, Illinois 61101

Dear Mr. Hammond:

The Agency has previously informed Rockford Products Corp., Plant 3 of apparent noncompliance of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These charges against Rockford Products Corp. are set forth in Attachments A, B and C of this letter.

Please be advised that this matter has been referred to the Agency's legal staff for the preparation of a formal enforcement case. The Agency intends to refer this matter to the Attorney General's office for the filing of a formal complaint.

In accordance with Section 31(d) of the Environmental Protection Act, the Agency will provide Rockford Products Corp. with an opportunity to meet with appropriate Agency personnel in an effort to resolve such conflicts which could otherwise lead to the filing of a formal complaint. This meeting, if it is to be held, is required to be held within 30 days of your receipt of this notice unless the Agency agrees to a postponement.

Rockford Products Corp., Plant 3
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Please contact Donald L. Gimbel of the Agency's legal staff at 312/345-9780 within seven (7) days if you wish to schedule such a meeting or at any time if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, reading "Robert Kuykendall".

Robert Kuykendall, Manager
Division of Land Pollution Control

RKK:DLG:bh:0156B

cc: Division File
Rockford File
Donald Gimbel
Gary King
Mark Haney
Cindy Davis



ATTACHMENT A

Pursuant to 35 Ill. Adm. Code:

Subpart F of Section 726 (all parts therein) regarding groundwater monitoring.

- I 725.190 - Failure to implement a groundwater monitoring program capable of determining the facility's impact on the quality of groundwater in the uppermost aquifer underlying the facility.
- II 725.191 - Failure to properly design, install and operate an acceptable groundwater monitoring system.
- III 725.193 - Failure to develop and follow an acceptable sampling and analysis plan.
- IV 725.193 - Failure to prepare an outline of a groundwater quality assessment program.
- V 725.194 - Failure to maintain and submit required records and reports.

In addition:

- VI 703.154 - a) Disposal of hazardous waste not specified in Part A of the permit application, b) Employing process not specified in Part A of the permit application.

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ATTACHMENT B

1. Pursuant to 35 Ill. Adm. Code 725.243, an owner or operator of each facility must establish financial assurance for closure of the facility. You have failed to provide adequate documentation demonstrating compliance with this section. You are in apparent violation of 35 Ill. Adm. Code 725.243 for the following reason(s): financial assurance was not provided.
2. Pursuant to 40 CFR 265.147(a) (as incorporated by reference in 35 Ill. Adm. Code 725.245), the owner or operator of a hazardous waste treatment, storage or disposal facility must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs. You are in apparent violation of 35 Ill. Adm. Code 725.245 for the following reason(s): sudden accidental liability insurance was not provided.
3. Pursuant to 35 Ill. Adm. Code 725.242(a), the owner or operator must prepare a written estimate, in current dollars, of the cost of closing the facility in accordance with the closure plan as specified in Section 725.212. You have failed to provide a closure cost estimate as required. The closure cost estimate must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan. You are in apparent violation of 35 Ill. Adm. Code 725.242(a) for the following reason(s): the closure cost estimate was not provided.

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ATTACHMENT C

- 1 You have caused, threatened or allowed the discharge of contaminants into the environment so as to tend to cause water pollution in Illinois, in violation of Section 12(a) of the Environmental Protection Act (Ill. Rev. Stat., Ch. 111 1/2, para. 1012(a)).
- 2 You have deposited contaminants into the seepage pit on your premises so as to create a water pollution hazard, in violation of Section 12(d) of the Environmental Protection Act (Ill. Rev. Stat., Ch. 111 1/2, para. 1012(d)).
3. You have operated the seepage pit on your premises in violation of Special Condition No. 2 of your Water Pollution Control Operating Permit No. 1984-EO-0221, which requires installation of one upgradient and two downgradient shallow groundwater monitoring wells, in violation of Section 126(b) of the Environmental Protection Act (Ill. Rev. Stat., Ch. 111 1/2, para. 1012(b)).
4. Emissions of 1,1,1 trichloroethane from your four Detrex Vapor Degreasers exceed 20 tons per year, in violation of your Air Pollution Control Operating Permit No. 81040047 and in violation of Section 9(b) of the Environmental Protection Act (Ill. Rev. Stat., Ch. 111 1/2, para. 1009(b)).

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